

The following Comments were received by Water Board staff on January 14, 2010:

Joan D. Bird	Water Board Form with Comment Letter
Jessie Orr	Water Board Form with Comment Letter

To: CA Regional Water Quality Control Board, Lahontan Region
14440 Civic Drive, Suite 200
Victorville, CA 92392
ATTN: Brianna Bergen

Comments TENTATIVE WASTE DISCHARGE REQUIREMENTS FOR NURSERY PRODUCTS HAWES COMPOSTING FACILITY, SAN BERNARDINO COUNTY

1/96

We concur with proposed requirements

We concur, comments attached
mostly

We do not concur; comments attached

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Joan D. Bird

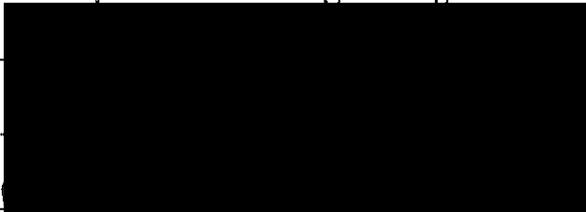
(Sign)

JOAN D. BIRD

(Type or print name)

Helpinbley.org

(Organization)

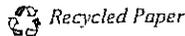


(Address)

(City and State)

(Telephone)

California Environmental Protection Agency



CA Regional Water Quality Control Board, Lahontan Region
14440 Civic Drive, Suite 200
Victorville, Ca 92392

Dear Ms. Bergen

I have written to the Lahontan Water Board before regarding the Nursery Products Hawes Composting Facility. I am a concerned resident of Hinkley, Ca and a member of Helphinkley.org and as such I still think that this facility should be enclosed (with air filtration systems to catch any bacteria, odors, chemicals, etc.) to protect our water supply and most importantly our health. I would like to thank the Board for their comprehensive Tentative Waste Discharge Requirements for this facility. You seemed to have covered most of the issues concerning this facility.

There are however still several concerns I have and comments I would like to make:

- It is stated that the nearest residence to this facility is 1.5 miles and the next nearest is 8 miles away. This is not a true statement. I know there are many more residences within that distance that could be impacted by this facility.
- Depth of the well to be drilled and its impact on the water supply. Nursery Products (NP) says that there is sufficient water capacity at 300' for this facility's water requirements. The Mojave Water Agency has not determined the volume or quality of the water in the area of this facility, but have stated that two monitoring wells closest to this facility have shown a decline in the water level over the last two decades. There is to be a 30,000-gallon water storage tank at this facility - where is the water going to come from for the initial filling of this tank? I do not know if this amount would impact our water supply if it comes from the well. There also has been no mention of truck washing which would certainly use more water than estimated (1000 gal/day) and it is, in my opinion, that truck washing would be an important procedure to conduct to keep any solid waste off the highways upon departure (assuming it is covered coming to this facility).
- NP and your discharge requirements state that water from the surface impoundments that catch any overflow water can/will be used for dust control. I think that this could impact the health of residents. This water will be coming from the waste windrows (when they need to be wet down) and could contain health hazard materials which would then be released into the air by spraying the area for dust control. Also it was stated in the SEIR that rainwater would be collected in two on-site basins (the above surface impoundments?) to be used instead of additional water withdrawal from the groundwater supply. The statement said that an estimated 4 million gallons of rainwater per year will be collected. Can this be a true estimate? This seems like a lot. We are in a desert area where we have very little rain or none at all (especially in the drought years we have been experiencing).
- Time frames for reporting spills, changes to constituents, results of monitoring samples seem to be inappropriate - reporting within 45 days regarding evidence of a release (from monitoring samples), 90 days and 180 days for other reporting. A lot of undesirable water, contaminants, etc. could be released during these time frames before reporting to the Water Board and action is taken.
- The date of October 30, 2012 (tentative) for NP to propose a list of monitoring parameters and constituents of concern to the Water Board for acceptance seems too distant. Wouldn't this facility be operating long before that (assuming it is allowed) and shouldn't this list be submitted before then?
- Certification of plans, etc. to be done by a registered civil engineer or certified engineering geologist. I am assuming this person will be from or hired by the Water Board and will be non-biased.
- I am concerned that NP will not do all the monitoring, sampling, and reporting that should be done to keep the groundwater and the environment safe (if this facility is allowed to operate). I understand that their track record for truthful reporting is a bit to be desired (as in the case of their operation in Adelanto).

In closing I would like thank the Water Board for including a Final Closure Plan and Financial Assurance Documents requirements in the Tentative Waste Discharge Requirements-Order. The closing of NP's Adelanto facility was disastrous in my opinion. Thank you for all the effort put into this Tentative Board Order so that our water supply and environment will be protected. Please consider my comments and concerns.

Respectfully submitted,

Joan Bird

JANUARY 13, 2010

Notice
Submittal of Written Material for Regional Board Consideration

In order to ensure that the State of California Lahontan Regional Water Quality Control Board has the opportunity to fully study and consider written material, it is necessary to submit it at least ten (10) days before the Regional Board Meeting. Pursuant to Title 23 of the California Code of Regulations, Section 648.2, the Regional Board may refuse to admit written testimony into evidence unless the proponent can demonstrate why he or she was unable to submit the material on time or that compliance with the deadline would otherwise create a hardship. If any other party demonstrates prejudice resulting from admission of the written testimony, the Regional Board may refuse to admit it.

COMPLETE FORM AND RETURN

To: CA Regional Water Quality Control Board, Lahontan Region
 14440 Civic Drive, Suite 200
 Victorville, CA 92392
 ATTN: Brianna Bergen

Comments **TENTATIVE WASTE DISCHARGE REQUIREMENTS FOR NURSERY PRODUCTS HAWES COMPOSTING FACILITY, SAN BERNARDINO COUNTY** 1/98

- We concur with proposed requirements
- We concur; comments attached
- We do not concur; comments attached

RECEIVED JAN 14 2010	
BB.	

Jessie Orr (Sign)

Jessie ORR (Type or print name)

_____ (Organization)

_____ (Address)

_____ (City and State)

_____ (Telephone)

January 13, 2010

Jessie Orr


ATT: CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

RE: WDID NO. 6B360903006 NURSERY PRODUCTS HAWES COMPOSTING
FACILITY

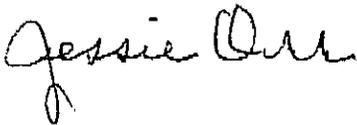
After reading the TENTATIVE Waste Discharge Requirements for this composting facility, it is evident you would better serve the people of Hinkley and surrounding communities by requiring the facility to be completely enclosed or by denying the permit.

Haven't you learned anything from your dealings with PG&E ? What makes you think that this money making company will be any different and keep the requirements set forth in this latest TENTATIVE list ? I would like to believe that if you had been given the opportunity to stop the contamination and deadly results of PG&E you would have. That is what I want now - STOP the POTENTIAL HARM to my community, to my family.

Hinkley is not alone in the fight against Nursery Products LLC and their proposed Hawes Facility. On April 20. 2009 the City of Barstow, CA passed Resolution 4471 in opposition to the construction of a Biowaste facility in Hinkley CA by Nursery Products LLC.

Please consider your decisions carefully. Think of our health and quality of life. Avoid being part of another disaster !

Mrs Jessie Orr 





AGENDA MATTER:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BARSTOW IN OPPOSITION TO THE CONSTRUCTION OF A BIOWASTE FACILITY IN HINKLEY, CALIFORNIA BY NURSERY PRODUCTS, LLC.

EXECUTIVE SUMMARY:

Nursery Products LLC is proposing to build an open air biowaste facility in nearby Hinkley, CA. There are concerns that the facility would negatively impact air quality, water quality and would increase traffic. A resolution in opposition to the approval of this project is attached for Council's review and adoption.

DISCUSSION:

Staff has placed this item on the agenda at the request of the current Council.

The proposed biowaste facility by Nursery Products LLC has the potential to negatively impact air quality through the uncontrolled release of volatile organic compounds (VOCs), negatively impact water quality by the potential leaching of chemicals into the groundwater, and the potential negative impact of increased truck traffic through the 15/40/58 highway corridors.

A resolution in opposition to the approval of this project is attached for Council's review and adoption.

FISCAL IMPACT: (None)

RECOMMENDED ACTION:

Adopt Resolution No. 4471-2009 and waive the reading.

PROPOSED BY	FUNDS BUDGETED	FUNDS AVAILABLE	MEETING DATE
City Clerks Office	N/A	N/A	April 20, 2009
C.M. APPROVAL	AMOUNT REQUIRED	CATEGORY	ITEM NUMBER
Richard D. Rowe, City Manager	N/A	City Council	8

RESOLUTION NO. 4471-2009

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BARSTOW IN
OPPOSITION TO THE CONSTRUCTION OF A BIOWASTE FACILITY IN
HINKLEY, CA BY NURSERY PRODUCTS LLC.**

WHEREAS, The City Council of the City of Barstow is concerned about the environmental impacts of the proposed biowaste facility and the undesirable consequences that would result from its approval, specifically the air quality and traffic impacts; and

WHEREAS, the City Council of the City of Barstow finds that the proposed biowaste facility would be detrimental to air quality, water quality and potential negative impact on future housing developments; and

WHEREAS, the City Council of the City of Barstow finds that the proposed biowaste facility needs to comply with all requirements of the California Environmental Quality Act; and

WHEREAS, the City Council of the City of Barstow finds that the proposed biowaste facility needs to fully mitigate all negative impacts of the proposed project to a less than significant level; and

WHEREAS, the City Council of the City of Barstow finds that the proposed biowaste facility needs to have sufficient water and equipment for an effective dust control program as well as sufficient water to suppress any potential fires; and

WHEREAS, the City Council of the City of Barstow finds that the proposed biowaste facility relies on the unadopted West Mojave Plan as mitigation measure;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Barstow does hereby oppose the approval of the proposed biowaste facility in Hinkley, CA proposed by Nursery Products LLC

BE IT FURTHER RESOLVED that the attached comments from the City of Barstow in response to the Draft Environmental Impact Report need to be addressed prior to any consideration of the project.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Barstow held on the 20th day of April, 2009.